

SECOND REGULAR SESSION

HOUSE BILL NO. 2112

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES LUETKENHAUS, PORTWOOD, BURTON, REINHART, KELLEY (47), ROSS, GRATZ, HUNTER, HOPPE, O'CONNOR, HOLT (Co-sponsors), BONNER, BERKOWITZ, McKENNA, BEARDEN, CIERPIOT, CUNNINGHAM, GAMBARO, BERKSTRESSER, CROWELL, VILLA, VOGEL, REYNOLDS, NAEGER, SELBY, LIESE, ENZ, DOLAN, KELLY (36), TREADWAY, CRAWFORD, BEHNEN, JETTON, BARTLE, HAMPTON, LUETKEMEYER, GEORGE, REID, DEMPSEY, WAGNER, BYRD, MERIDETH, LEGAN, WARD, SHOEMYER (9), BARRY, RIDGEWAY, GRIESHEIMER, TOWNLEY, QUINN, FROELKER, SECREST, PHILLIPS, RECTOR, BARTELSMEYER, MILLER, BARNETT, MURPHY, NORDWALD, MARBLE, PURGASON, MAY (149), SHIELDS, HOLAND, HENDRICKSON, HEGEMAN, RICHARDSON, MOORE, MYERS, KING, ROARK, HARTZLER, COOPER, BLACK, ROBIRDS, LINTON, GASKILL, ST. ONGE, SCHWAB, SURFACE, CHAMPION, KELLY (144), WRIGHT, LONG, BALLARD, SCOTT, MARSH, HENDERSON, BURCHAM, O'TOOLE, HICKEY, LAWSON, WHORTON, GREEN (73), HANAWAY, OVERSCHMIDT, SEIGFREID, DAUS, BOUCHER, SHOEMAKER (8), BOATRIGHT AND MAYER.

Read 1st time March 6, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

4537L.01I

AN ACT

To repeal section 27.060, RSMo, relating to the powers of the attorney general, and to enact in lieu thereof one new section relating to the same subject.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 27.060, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 27.060, to read as follows:

27.060. **1.** The attorney general shall institute, in the name and on the behalf of the state, all civil suits and other proceedings at law or in equity requisite or necessary to protect the rights and interests of the state, and enforce any and all rights, interests or claims against any and all persons, firms or corporations in whatever court or jurisdiction such action may be necessary; and he may also appear and interplead, answer or defend, in any proceeding or tribunal in which the state's interests are involved.

2. The attorney general shall zealously defend the constitutionality of any statute which is the subject of a lawsuit challenging that statute's constitutionality. The attorney general shall not represent any other state agency, state official, political subdivision, or other party if the attorney general knows or should know that such representation may

11 cause a conflict with zealously defending the constitutionality of the statute.
12 **3. Any member of the general assembly, as an individual legislator, shall have**
13 **standing to file suit or intervene to defend the constitutionality or operation of any**
14 **legislative enactment that has the force and effect of law, including bills and resolutions.**
15 **Nothing in this section shall be in derogation of the powers of the attorney general, nor in**
16 **any way be construed to limit the standing of a legislator in any proceeding.**